

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Toshimitsu BABA et al. : **Mail Stop: PCT**
Serial No. 10/521,766 : Attorney Docket No. 2005-0022A
Filed January 19, 2005 :

BODY FAT PERCENTAGE-LOWERING
AGENT OR BODY FAT
PERCENTAGE INCREASE INHIBITOR
[Corresponding to PCT/JP2003/005305
Filed April 24, 2003]

: THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed.

1a. This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

and thus no certification and/or fee is required.

1b. This Information Disclosure Statement is submitted
after the events of above paragraph 1a and prior to the mailing date of a final Office
Action or a Notice of Allowance or an action which otherwise closes prosecution in the
application, and thus:
(1) the certification of paragraph 2 below is provided, **or**
(2) the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. This Information Disclosure Statement is submitted:
after the mailing date of a final Office Action or Notice of Allowance or action which
otherwise closes prosecution in the application, and prior to payment of the issue fee, and
thus:
the certification of paragraph 2 below is provided, and
the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

2. It is hereby certified

- a. that each item of information contained in this Information Disclosure Statement
was first cited in any communication from a foreign patent office in a counterpart
foreign application not more than three months prior to the filing of the
Statement, or
- b. that no item of information contained in the Information Disclosure Statement
was cited in a communication from a foreign patent office in a counterpart
foreign application and, to the knowledge of the person signing the certification
after making reasonable inquiry, was known to any individual designated in
§1.56(c) more than three months prior to the filing of the Statement.

3. Consideration of the following list of additional information (including any copending or
abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:

- a full or partial English language translation submitted herewith,
- a foreign patent office search report (International Search Report) (in the English language) submitted herewith,
- the concise explanation contained in the specification of the present application at page,
- the concise explanation set forth in the attached English language abstract,
- the concise explanation set forth below or on a separate sheet attached to the reference:

5. A foreign patent office search report (International Search Report) citing one or more of the references is enclosed.

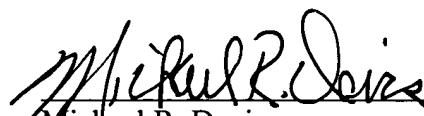
6. Comments:

There are two clerical errors in the International Search Report. "EP 380348 A2" and "EP 10-203994 A" should read as "EP 380343 A2" and "JP 10-203994 A". These corrections are noted on the attached copy of the International Search Report.

Respectfully submitted,

Toshimitsu BABA et al.

By:


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April 19, 2005

INFORMATION DISCLOSURE STATEMENT

FORM PTO 1449 (modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE LIST OF REFERENCES CITED BY APPLICANT(S) <i>(Use several sheets if necessary)</i> Date Submitted to PTO: April 19, 2005			ATTY DOCKET NO.	SERIAL NO.			
			2005-0022A	10/521,766			
			APPLICANT Toshimitsu BABA et al.				
FILING DATE January 19, 2005			GROUP				
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AB	2002-238442	8/2002	Japan			
	AC	2002-114694	4/2002	Japan			
	AD	0 380 343	8/1990	Europe			
	AE	10-203994	8/1998	Japan			
	AF	9-23822	1/1997	Japan			
	AG	8-173052	7/1996	Japan			
	AH	2000-204369	7/2000	Japan			
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AI	Tatsuya Moriyama et al., "Serum Triglyceride Level-Lowering Activity by Soybean 7S Globulin (β -Conglycinin) Feed in Mouse", Nihon Nogei Kagaku Taikai Koen Yoshishu, vol. 2002, page 108, March 5, 2002.					
	AJ	Toshiaki Aoyama et al., "Reduction by Phytate-reduced Soybean β -Conglycinin of Plasma Triglyceride Level of Young and Adult Rats", Biosci. Biotech. Biochem., vol. 65, no. 5, pages 1071-1075, 2001.					
	AK	Makoto Kito, "A Certain Soybean Protein Removes Neutral Fats", Japan Food Science, vol. 41, no. 9, pages 92-94, September 5, 2002.					
	AL	Takuo Okita et al., "Effects of Dietary Soybean Globulins on Plasma and Liver Lipids and on Fecal Excretion of Neutral Sterols in Rats", J. Nutr. Sci. Vitaminol., vol. 27, no. 4, pages 379-388, 1981.					
	AM	M.A. Ritter, et al., "In vitro Digestibility Phytate-reduced and Phenolics-reduced Soy Protein Isolates", J. Food. Sci., vol. 52, no. 2, pages 325-327, 1987.					
	AN	M. Samoto et al., "Improvement of the Off-flavor of Soy Protein Isolate by Removing Oil-body Associated Proteins and Polar Lipids", Biosci. Biotech. Biochem., vol. 62, no. 5, pages 935-940, 1998.					
EXAMINER				DATE CONSIDERED			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of form with next communication to applicant.

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	AA						
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	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AJ						
	AK						
	AL						
	AM						
	AN						
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AO	Tadashi Ogawa et al., "Preparation of Hypoallergenic Soybean Products", Daizu Tanpakushitsu Kenkyukai Kaishi, vol. 15, pages 104-108, 1994.					
	AP	Kengo Ishihara et al., "Effects of Soybean Peptide on Suppression of Body Fat Accumulation in Exercised Mice", Daizu Tanpakushitsu Kenkyuaki Kaishi, vol. 18, pages 96-100, 1997.					
	AQ	Kiyoharu Takamuatsu, "Soybeans and Lipid Metabolism", Japan Oil Chemists, Society Kansai Shibu Kaki Seminar, vol. 40, pages 45-55, July, 2000.					
EXAMINER				DATE CONSIDERED			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of form with next communication to applicant.